

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**NANCY MARTIN and,
MARY BETH BRACKIN,**

Plaintiffs,

V.

**CITY OF DOTHAN and JUDGE
ROSE EVANS-GORDON,**

Defendants.

Case No. 1:05-CV-1172-MEF

JOINT MOTION TO EXTEND
DISPOSITIVE MOTION DEADLINE

The parties herein respectfully request the Court to extend the dispositive motion deadline by one month until December 17, 2007 based on the following grounds. This extension will not affect other dates set forth in the Court's Scheduling Order and will not delay the proceedings herein.

1. Defendants have diligently been attempting to schedule the depositions of the Plaintiffs. Plaintiff Brackin is due to be deposed on October 10, 2007. Plaintiff Martin has been unavailable due to the fact that her son is about to embark on this third tour of duty to Iraq following a visit home with family. Ms. Martin has been traveling with her son and is not

available to be deposed until late October 2007. Her anticipated deposition date will be in late October.

2. Following the conclusion of Plaintiffs' depositions, Plaintiffs have indicated that they intend to depose at least eight individuals, as well as Defendant Judge Rose Gordon. It is highly likely that some of this deposition testimony will be necessary and vital to adequately addressing, presenting and/or supporting a summary judgment motion which Defendants intend to file.

3. Dispositive motions are currently due on November 16, 2007. Based on the delay in deposing Plaintiff Martin due to family circumstances (which in turn has resulted in other depositions being delayed) combined with the challenge of coordinating schedules of the multiple parties and potential deponents involved, the ability to schedule and take nine depositions and obtain deposition transcripts to support a summary judgment motion and brief in time to meet the November 16, 2007 deadline is remote, if not impossible, and, as such, will prejudice the parties.

While the parties will attempt to meet this date, they jointly and respectfully request the Court to extend the dispositive motion deadline until December 17, 2007. As stated, this extension should have no impact on any other deadline and will not delay the proceedings herein.

Respectfully submitted,

/s/ Carol Sue Nelson

Carol Sue Nelson
Attorney for Defendants
Maynard, Cooper & Gale, PC
1901 Sixth Avenue North
2400 AmSouth Harbert Plaza
Birmingham, Alabama 35203
(205) 254-1000

/s/ Ishmael Jaffree

Ishmael Jaffree
Attorney for Plaintiffs
951 Government Street
Suite 415
Mobile, Alabama 36604
(251) 694-9090